

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
HELD MONDAY, MAY 5, 2014, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901**

Present for the Board: Barry Michelson, Rosanne McManus and Joanna Gwozdzowski. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner

Mr. Michelson, Acting Chair in place of absent Mr. Mills, called the meeting to order and opened the Public Hearing at 7:12 p.m.

Ms. McManus made a motion to take the agenda items out of order, seconded by Ms. Gwozdzowski and the motion was unanimously approved 3 to 0 (Michelson, McManus and Gwozdzowski).

PUBLIC HEARING

4. **Application 214-03 – EILEEN & GIOVANNI ONELLI, 13 DORA STREET - Special Exception,** to allow construction of a fence on top of an existing retaining wall for a total fence height up to 11 feet 4 inches under Section 7G of the Zoning Regulations in a R-5 zone.

Ms. McManus read a description of the application into the record and a copy of the Planning Board referral letter into the record.

Giovanni Onelli, homeowner, explained the fence elevation on the four abutting properties. He submitted letters of support from two neighbors.

Mr. Mills arrived at 7:20pm.

Mr. Michelson adjourned the Public Hearing on this item at 7:20pm and Mr. Mills took over as Chair of the meeting.

1. **Application 213-43 – RICHARD REDNISS, Text change,** to Amend Appendix B, Footnote #4 by adding Master Plan Category #10 Downtown Corridor to locations in which density may be reduced by Special Exception for Mixed-use projects in the C-G or CC-N Districts (*continued from April 21, 2014*).
2. **Application 213-44 – RICH CAPPELLI ASSOCIATES, LLC & LOUIS R. CAPPELLI FAMILY LTD. PARTNERSHIP II, Special Exception, REVISED Site & Architectural Review and Coastal Site Plan Review,** large scale development for 650 residential units and associated site improvements in two towers at the corner of Tresser and Atlantic Streets, acquisition and historic preservation of the Post Office at 421 Atlantic Street, over 41,000 sf of ground floor retail space and two parking garages in a CC-N district. Special Exceptions requested include large scale development,

increased density, conversion of commercial FAR into dwelling units, historic preservation premium, parking at 1:1 ratio, reduced rear yard, partial waiver of open space and fee-in-lieu for BMR. Simultaneous application with St. John's Parcel to authorize transfer of 240 residential units and parking (*continued from April 21, 2014*).

3. **Application 213-45 – SAINT JOHN URBAN DEVELOPMENT CORP, Special Exception**, requesting conversion of commercial development rights to authorize 240 existing residential units, permit one parking space per dwelling onsite (148 spaces) and adjacent (93 spaces), fee-in-lieu funds for BMR requirements all in conjunction with the large scale development for Cappelli at Tresser and Atlantic Streets in a CC-N district (*continued from April 21, 2014*).

Mr. Mills opened the Public Hearing on these applications which were continued from April 21, 2014. He read a description of each application into the record.

Attorney Amy Souchuns explained that Elena Kalman has been added to the team as their preservation architect.

Elena Kalman explained the loading dock will be removed from the Post Office but the rest of the building will be saved. A portal will be cut through the westerly two arched windows for vehicle access. Need to coordinate with Historic Preservation Advisory Committee (HPAC) and State Historic Preservation Office (SHPO).

Attorney Souchuns said they do not have a tenant yet. They will comply with Secretary of Interior standards. She explained the proposal to contribute BMR fee-in-lieu to Jonathan Rose.

Richard Redniss would like to provide final construction details of the Post Office alterations as a condition of approval. He explained that Atlantic Street becomes active on the north side of Tresser. The Project site is part of the pedestrian flow to the Stamford Transportation Center. He explained the Mani Poola memo dated April 21, 2014 and proposed traffic and pedestrian improvements. He explained the revised parking plan will save the Post Office Annex. The Applicant wants consideration to exchange retail with amenity or commercial/office space in the South Tower.

Joe Apicella, VP, Cappelli, said 70% or more of the North Tower ground floor will be retail.

Mr. Michelson questioned if there will be enough parking. Mr. Redniss said 0.95 spaces per unit self-park is better than the last three Zoning Board approvals.

Mr. Redniss said St. Johns wants to sell land to raise funds to modernize the residential towers. Now their plan is to also sell the towers. The application requests approval of 70,000 s.f. lot to meet all zoning standards. The existing St. John's tower is 60 3-bedrooms, 60 1-bedrooms and 120 2-bedroom units. Renovation plans favor making them all 2-bedroom units.

Mr. Mills asked if anyone from the Public would like to comment.

Mona Shapiro, Esq. commented that there was a \$1.0 million judgment against Cappelli and they are also being sued in New York for another \$900,000. Attorney Souchuns said that wasn't relevant to the application before the Board and should not be included in their decision.

Mr. Cole said the Zoning Board should receive the information and ask Corporate Counsel to advise if information can be included in the file and considered.

Drew Backstrand said they haven't received SHPO approval letter. The Post Office plan lacks detail. Federal court case raises question of standing to apply for the South Tower. Mixed use of the Post Office is not appropriate. This historical building should be bought by the City and used for public use. The current construction plan crowds St John's Towers. He questioned whether they have enough parking for 3-bedroom units.

Debra Sherwood, Executive Director of the Center for Art and Mindfulness, said the high bidder for the Post Office wants to use the building as a center for the arts. Restaurants are not a public use.

Drew Backstrand said the proposed signage on the Post Office is inappropriate.

Wes Haynes, HNPP, said the whole building including the annex is listed on the National Register of Historic Places. They are guardedly optimistic about revised plans to preserve the Post Office.

Leonora Caulderero, resident of St. Johns tower was opposed to the project.

Mr. Mills called a brief recess at 9:22pm and resumed the Public Hearing at 9:40pm.

Mr. Redniss said the project will not create a shadow impact and it is not practical to expect the City to buy the Post Office. He explained the project FAR calculations.

Attorney Souchuns said apartments versus condominium is not regulated by Zoning. They are working with SHPO but typically they don't issue approval until all design details are complete.

Chris Lesard, Architect, explained the exterior materials palette and building elevations.

Ms. Gwozdzowski asked how the design relates to the Post Office. Mr. Lesard said the objective is not to mimic the Post Office but to accent it.

Joe Apicella, VP Cappelli, responding to Mona, described the judgment, 8 years old, which is under appeal.

Mr. Mills continued the Public Hearing on these three applications to May 19, 2014 at 7:00pm on the 7th Floor, Land Use Conference Area, unless another location becomes available.

He adjourned the Public Hearing at 10:18pm

REGULAR MEETING

APPROVAL OF MINUTES:

Minutes of March 24, 2014

Mr. Michelson presented a typed change to page 3, paragraph 7.

Ms. McManus made a motion to approve the minutes with the noted change, seconded by Ms. Gwozdzowski and the motion was unanimously approved 4 to 0 (Mills, Michelson, McManus and Gwozdzowski).

Minutes of April 28, 2014

Ms. McManus made a motion to approve the minutes as submitted, seconded by Ms. Gwozdzowski and the motion was unanimously approved 3 to 0 (Mills, McManus and Gwozdzowski; Mr. Michelson not voting).

PENDING APPLICATIONS:

1. **CSPR-951 – MECO, 46 Middlebury Street**, to construct a second floor addition of approximately 899 s.f. on an existing residence of 0.16 acres in an R-7.5 coastal flood area.

After a brief discussion, Mr. Michelson moved to approve the application with EPB conditions, seconded by Ms. McManus and the motion was unanimously approved 4 to 0 (Mills, Michelson, McManus and Gwozdzowski).

2. **CSPR-950 – MELISKO, 53 Waterbury Avenue**, to construct a two story addition of approximately 1,300 s.f. to an existing residence on 0.2 acres in an R-5 coastal flood area.

After a brief discussion, Ms. McManus moved to approve the application with EPB conditions, seconded by Ms. Gwozdzowski and the motion was unanimously approved 4 to 0 (Mills, Michelson, McManus and Gwozdzowski).

3. Application 214-03 – EILEEN & GIOVANNI ONELLI, 13 DORA STREET -
Special Exception

After a brief discussion, Ms. Gwozdzowski moved to approve the application as submitted, seconded by Ms. McManus and the motion was unanimously approved 3 to 0 (Michelson, McManus and Gwozdzowski; Mr. Mills not voting).

OLD BUSINESS

1. **Application 212-29** - GTO Capital Management, LLC, 947 Hope Street, Special Exception & Site Plans/Architectural Plans related to the construction of a mixed-use building consisting of 13 rental apartments, 725 square feet of ground floor retail space, 19 at-grade parking spaces and associated site improvements on a 7,700 square foot site in the Village Commercial District (*modification of Condition #6 re: rooftop mechanicals and design of southerly wall*).

After a brief discussion, Mr. Michelson moved to approve the modification to this project, eliminating the need for the Applicant to place a screen around the rooftop mechanicals and allowing the use of a vinyl fence to replace the construction of a masonry wall along the southerly property line as per the materials submitted, seconded by Ms. McManus and the motion was unanimously approved 4 to 0 (Mills, Michelson, McManus and Gwozdzowski).

The meeting adjourned at 10:20pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board